

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

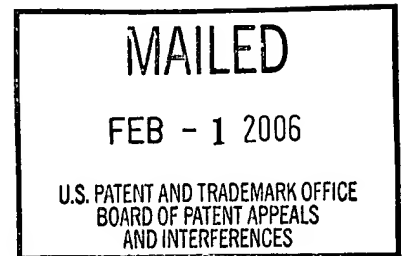
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KAREN L. FINCHER,
THOMAS J. LaROSA,
DAVID W. McCARTER, and
JULIE R. PEAR

Appeal No. 2004-1273
Application 09/637,086

ORDER DISMISSING APPEAL



Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge,
ADAMS, Administrative Patent Judge.

Per curiam.

On July 7, 2003, appellants filed a Notice of Appeal. On January 17, 2006, appellants filed a communication requesting that this application be expressly abandoned under 37 C.F.R. §1.138(a) in view of a continuing application filed on January 13, 2006.

Accordingly, it is


ORDERED that the appeal filed July 7, 2003, is dismissed.

Appeal No. 2004-1273
Application 09/637,086

The application is being returned to the examiner for further action as may be appropriate.


Michael R. Fleming, Chief
Administrative Patent Judge


Gary V. Harkcom, Vice Chief
Administrative Patent Judge


Donald E. Adams
Administrative Patent Judge

) BOARD OF PATENT
) APPEALS AND
) INTERFERENCES

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